

SENATE BILL 139

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 44,
Chapter 8, Part 4, relative to animals running at
large.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 44-8-408, is amended by deleting the section in its entirety and substituting instead the following:

(a) It is an offense for a dog to go upon the premises of another or upon a highway, public road, street or any other place open to the public generally, regardless of whether the person owning, keeping or harboring the dog was negligent in failing to confine the dog or exercised reasonable care to confine the dog.

(b) Except as provided in subsection (c), the provisions of this section shall not apply to a dog:

- (1) On a hunt or chase;
- (2) On the way to or from a hunt or chase;
- (3) Guarding or driving stock or on the way to guard or drive stock; or
- (4) Being moved from one place to another by a person owning or

controlling the dog.

(c) The exceptions to this section set out in subsection (b) shall not apply unless all damages caused by the dogs specified in subsection (b) are paid or tendered to the injured party within thirty (30) days of such damage being caused.

(d)

(1) A violation of this section is a Class C misdemeanor if the dog running at large causes damage to the property of another.

(2) A violation of this section is a Class A misdemeanor if the dog running at large causes bodily injury to another.

(3) A violation of this section is a Class E felony if the dog running at large causes bodily injury to more than one (1) person or serious bodily injury to another;

(4) A violation of this section is a Class D felony if the dog running at large causes the death of another.

(e) Nothing in this section shall prohibit the state from prosecuting and convicting a person whose conduct violates this section under any other applicable statute in lieu of this section.

SECTION 2. Tennessee Code Annotated, Section 44-8-409, is amended by deleting the section in its entirety.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.